

In the United States District Court
For the Western District of Virginia

)	
Brian David Hill,)	
Petitioner,)	
)	Civil Action No. <u>7:22-cv-00336</u>
v.)	
)	
Commonwealth of Virginia,)	
Respondent.)	
)	
)	

**ADDITIONAL GROUNDS FOR PETITIONER'S PETITION FOR RELIEF
FROM A CONVICTION OR SENTENCE BY A PERSON IN STATE
CUSTODY -- PETITION UNDER 28 U.S.C. § 2254 FOR A WRIT OF
HABEAS CORPUS**

Petitioner is Brian David Hill ("Petitioner") and is the Petitioner of the 2254 case.

Files this additional ground on June 22, 2022.

**GROUND ELEVEN – IT IS NOW POSSIBLE AND PETITIONER
SUSPECTS AND FEARS THAT THE JUDICIAL OFFICER GILES
CARTER GREER OF MARTINSVILLE CIRCUIT COURT AND
POSSIBLY JUDGES IN THE COURT OF APPEALS OF VIRGINIA WHO
WRONGFULLY CONVICTED BRIAN DAVID HILL OF INDECENT
EXPOSURE AND REFUSED TO HOLD ANY EVIDENTIARY HEARINGS
MAY OR MAY NOT HAVE BEEN A TARGET OF A BLACKMAIL
SCHEME INVOLVING CHILD RAPE AND MURDER DUE TO CLAIMS
BY ATTORNEY L. LIN WOOD ASSERTING IN PUBLIC STATEMENTS
THAT "JUDGES" AND "OFFICIALS" WERE BEING ORDERED TO**

RAPE AND MURDER CHILDREN ON VIDEO RECORDINGS AND THUS WERE COMPROMISED AND NO LONGER IMPARTIAL TO THE DECISIONS THEY MADE WHILE BEING BLACKMAILED. REGARDLESS OF WHETHER THE BLACKMAIL WAS MATERIAL TO ANY DECISIONS MADE AGAINST BRIAN DAVID HILL, IT WOULD STILL MAKE THE JUDGE PARTIAL AND/OR BIASED AND/OR COMPROMISED. THIS VIOLATES THE U.S. CONSTITUTION'S GUARANTEE OF FAIR TRIALS AND DUE PROCESS OF LAW FOR A TRIER OF FACT IN THE STATE COURT REMAIN IMPARTIAL DURING THE CRIMINAL PROCEEDINGS OF A CASE

1. This issue cannot and could not have been raised on appeal due to it being new evidence from claims surfacing from Attorney L. Lin Wood in January, 2021 which has not been fully developed and requires expansion of the record. Requires either a Court examine this evidence, or a law enforcement agency (for example: U.S. Marshals, State Police) examine this evidence, or both. It requires that Attorney L. Lin Wood and his source or sources be subpoenaed to have Lin Wood's source(s) provide copies of the alleged blackmail video recordings which Attorney Lin Wood claimed allegedly to have the encrypted password or key. Attorney Lin Wood does not possess the actual videos but he received this information from his source or sources. His source or sources appear to be involved somehow with American Actor Isaac Kappy who was reportedly killed after falling off of a bridge and died. Attorney Lin Wood suggested or claimed that

Isaac Kappy was murdered. Attorney Lin Wood must be subpoenaed to further develop the facts of this GROUND.

2. However, this ground is potentially viable that the Judicial Officer, if the blackmail videos ever prove such issue after subpoena and investigation and review, that it proves violation of a Judge's impartiality subject to the United States Constitution which applies due process of law and other Constitutional rights to State Courts, and becomes evidence of fraud on the court onto itself and not just the fraud claims but would demonstrate that the Circuit Court engaged in an unconstitutional unfair trial process which would taint and rig the jury trial. This would make the entire Circuit Court process in Brian David Hill's case as unconstitutional and illegal as a kangaroo court requiring vacatur by the Habeas Court of the lower Court's decision. The evidence of some of the Attorney L. Lin Wood tweets was filed with the Circuit Court Clerk's Office on the state court record by Hon. Ashby R. Pritchett, Clerk on 03/22/2021 10:00:42 record of the Circuit Court. Nothing was really done about the screenshots of the Lin Wood tweets. Nobody checked to see if the judge in their Court may have been blackmailed. Also Brian David Hill filed a complaint with the Virginia state Judicial Inquiry Review Commission about the blackmail information publicly stated from Attorney Lin Wood on inquiring whether Giles Carter Greer may be blackmailed with child rape and murder. This Court or the Attorney General can

verify that this complaint was filed by Roberta Hill on Brian Hill's behalf by VACES. The complaint was received and accepted on Thursday, March 24, 2022, at 08:31:35 AM. VACES is the electronic court filing system of Virginia appellate courts. Roberta Hill is authorized to file legal pleadings electronically in the State Court on behalf of Brian David Hill. One reason is that it is way cheaper than filing paper copies, and some records may be hundreds to thousands of pages. Complaint was filed with: "Judicial Inquiry Review Commission - Complaint". Filename of pleading was: "Letter-SCV-March-23-2022.pdf". Case style was: "Brian David Hill v. Hon. Giles Carter Greer (Judicial Complaint)". That complaint had been filed but no response was ever given to Brian David Hill since that complaint was filed, no indication if there is any investigation or any action taken into this judge. Therefore efforts were made in the Commonwealth of Virginia but nothing has happened and nothing has resulted in regards to any of it. Therefore it has been exhausted allowing this issue to go before a Federal Court. The Commission didn't even send a letter to Brian David Hill even confirming whether it will conduct any investigation and inquiry or not. So that effort had been exhausted at the state level.

3. If the Judge Giles Carter Greer of the Circuit Court for the City of Martinsville aka the Trier of Fact in the wrongful conviction of Brian David Hill on November 18, 2019 was ever blackmailed in sex tapes or video recordings of a

judge or official being ordered to rape a child on video; regardless of whether it is material directly to the 2254's underlying Circuit Court criminal case at issue in the 2254 motion case; it makes the Judge's "impartiality" reasonably questioned and raises the ground that the Judge in the Circuit Court had engaged in criminal behavior by committing a sex crime and was a target of a blackmail scheme involving a sex crime of 10 U.S. Code § 920 - Art. 120. Rape and sexual assault generally; possibly violating 18 U.S.C. § 2252A or 2252 and/or Section 2251; and murder of a child in violation of 18 U.S. Code § 1111 – Murder. That is if the proof can be confirmed from Attorney L. Lin Wood himself or his source or sources. If Lin Wood refuses to permit his source or sources who actually are in possession of the alleged "blackmail" videos to be reviewed by the Court in further developing the FACTS alleged in this Eleventh ground, then this Court has the power to subpoena Attorney L. Lin Wood, subpoena for his source or sources and compel him and them to testify before this Court as to the alleged blackmail videos which Lin Wood claimed about and this Court could require him to disclose his source(s) or their encrypted blackmail videos by Order of this Court and compel them to release the blackmail videos to this Court's Judicial Officer or even to appoint an Investigator to review over the blackmail video recordings to confirm the blackmail video target's identities to determine if Judge Giles Carter Greer was ever involved in being a target of the blackmail scheme.

4. This ground specifically asserts that there is new evidence which needs to be developed and thoroughly investigated before disposition of this ground. It cannot be raised directly in the state court out of fear of the State Court retaliating and charging Brian David Hill with contempt for even suggesting to Giles Carter Greer that he may be blackmailed and compromised. Brian David Hill brought this evidence of Lin Wood's statements to the Judicial Inquiry and Review Commission but as of June 22, 2022, they did not even send Brian Hill a response letter on his complaint since they received it in March 24, 2022, at 08:31:35 AM. That effort may have failed, so it had been exhausted at the state level. It is up to this Federal Court to have Lin Wood provide the evidence from his source or sources about the alleged blackmail tapes to determine if this judge is in one of the blackmail videos alleged.

5. Petitioner's mother Roberta Hill had received emails as well forwarded of what was originally emailed from Attorney L. Lin Wood which will also be attached to this pleading in the 2254 case.

6. Disclaimer: Petitioner's family obtained the links, screenshots, and printed the emails for Petitioner to use in Exhibits and the text links in this Brief / Memorandum of Law. Petitioner did not use the internet to have the links used in this additional ground.

7. See **attached evidence**. Lin Wood Tweet. Authentication:

<http://web.archive.org/web/20210104073323/https://twitter.com/LLinWood/status/1345996301981413382>

8. See **attached evidence**. Lin Wood Tweet. Authentication:

<http://web.archive.org/web/20210104072352/https://twitter.com/LLinWood/status/1345991175690457091>

9. See **attached evidence**. Lin Wood Tweet. Authentication:

<http://web.archive.org/web/20210103213443/https://twitter.com/LLinWood/status/1345822769842368512>

10. See **attached evidence**. Lin Wood Tweet. Authentication:

<http://web.archive.org/web/20210104073018/https://twitter.com/LLinWood/status/1345995391981019136>

11. See **attached evidence**. Lin Wood Tweet. Authentication:

<http://web.archive.org/web/20210104072454/https://twitter.com/LLinWood/status/1345993980811616256>

12. See **attached evidence**. Lin Wood Tweet. Authentication:

<http://web.archive.org/web/20210104070550/https://twitter.com/LLinWood/status/1345989745940320257>

13. See **attached evidence**. Lin Wood Tweet. Authentication:

<http://web.archive.org/web/20210104074120/https://twitter.com/LLinWood/status/1345992806750433280>

14. The Attorney L. Lin Wood ("Lin Wood") had presented public statements on January 3 and/or 4, 2021, on or about those dates. Statements in regards to "judges" and "officials" involved in being targets of blackmail in a criminal scheme to blackmail those targets. The blackmail is presumably obtained by a hacker group or hacktivist (aka computer or internet hacker activists) group known as The Lizard Squad which hacked the U.S. Intelligence Agencies of the United States of America and/or other Nation's intelligence agencies. The group known as "The Lizard Squad". According to Attorney Lin Wood, an American actor named Isaac Kappy had obtained the copies of the blackmail videos material and they were encrypted and the encryption key was turned over to a source or sources who went to Attorney Lin Wood after Isaac Kappy supposedly forced himself off of a bridge to death. Lin wood believed he was murdered to suppress the truth, as Isaac Kappy had attempt to get the blackmail videos to President Trump in an attempt to have special counsel investigate the blackmail to be thoroughly investigated.

15. Here is a bit of background information on actor Isaac Kappy given to Petitioner from his family which they retrieved from Wikipedia:

Isaac Kappy (February 17, 1977 – May 13, 2019) was an American actor and musician known for his roles in the films Thor (2011) and Terminator Salvation (2009) and in the AMC television series Breaking Bad. He was a member of the band Monster Paws

16. The blackmail video recordings which Lin Wood himself had described: “The blackmail targets are approached with a gun, a child, & a camera. The target is ordered to rape the child on video. The target is then ordered to shoot the child on video. The target is then owned & controlled by the blackmailers until blackmail evidence loses its value.” See

<http://web.archive.org/web/20210104072454/https://twitter.com/LLinWood/status/1345993980811616256> for authenticity of tweet. See disclaimer for Petitioner not using the internet and that the family obtained the links.

17. He even claimed that “judges” are involved in being blackmailed. His statement is so vague that it may encompass “justices” and/or “judges” of any level of Government including but not limited to State, Federal, and/or Local. He said that: “Many issues in our world may be tied to blackmail scheme I described tonight, including **bizarre behavior of officials & judges** in recent election.

@realDonaldTrump must appoint special prosecutor to thoroughly investigate.

We need answers. We must investigate. For the children.” See

<http://web.archive.org/web/20210104090143/https://twitter.com/LLinWood/status/>

[1346018918306099205](#) for authenticity of tweet. See disclaimer for Petitioner not using the internet and that the family obtained the links.

18. Attorney L. Lin Wood further made statements such as: “After Kappy received the hacked files from member of Lizard Squad, he gave files to one friend and the encryption key to another friend. He provided this information to his friends shortly before he was murdered in May 13, 2019. Members of Lizard Squad were jailed for hacking.” The fact that they, the hacker group, were arrested, whoever they are, further demonstrates the credibility of Lin Wood’s claims about the alleged blackmail video recordings mentioned by Lin Wood. See <http://web.archive.org/web/20210104073018/https://twitter.com/LLinWood/status/1345995391981019136> for authenticity of tweet. See disclaimer for Petitioner not using the internet and that the family obtained the link.

Lin Wood made it clear that: “I believe Chief Justice John Roberts & a multitude of powerful individuals worldwide are being blackmailed in a horrendous scheme involving rape & murder of children captured on videotape. I have the key to the files containing the videos. I have also shared this information.”

19. Review over the rest of the Lin Wood tweets as they speak for themselves. Each one of them can be authenticated by Court upon request to Petitioner’s family members Roberta Hill, Stella Forinash, and/or Kenneth Forinash; or they can be authenticated by contacting Attorney L. Lin Wood and subpoenaing him for

authenticating his own tweets as well as authenticating and verifying his claims of blackmail.

20. His Law Office may be contacted at the following address and is not his home address:

L. Lin Wood, Esq.
GA Bar No. 774588
L. LIN WOOD, P.C.
1180 West Peachtree Street, Ste. 2400
Atlanta, GA 30309
P.O. Box 52584
Atlanta, GA 30355-6584
Telephone: (404) 891-1402
Facsimile: (404) 506-9111
Email: lwood@linwoodlaw.com
Email: lwood@fightback.law

21. Now that the blackmail tweets and authenticity can be established here, it is time that the Court consider what to do for expanding the record for this 2254 Motion case, to determine if the Judicial Officer Giles Carter Greer of the Circuit Court for the City of Martinsville may or may not be in one of the blackmail videos which was described by Lin Wood. If the Judicial Officer Giles Carter Greer is in any of the alleged blackmail videos of child rape and murder, then all of his decisions in the case of City of Martinsville and Commonwealth of Virginia v. Brian David Hill are illegal, fraudulent, and unconstitutional and thus are NULL AND VOID. All orders and judgments from Judge Giles Carter Greer would have

to be vacated on the ground of criminal blackmail causing unlawful criminal influence if he is ever proven to be in one of the alleged video recordings.

**GROUND TWELVE – SPOILIATION OF EVIDENCE AKA
DESTRUCTION OF EVIDENCE BY (#1) MARTINSVILLE POLICE
DEPARTMENT, (#2) SOVAH HEALTH MARTINSVILLE HOSPITAL
(WHILE THEY KNEW BRIAN DAVID HILL WAS UNDER LAW
ENFORCEMENT CUSTODY) (#3) AND/OR COMMONWEALTH
ATTORNEY GLEN ANDREW HALL ESQUIRE VIOLATES THE
CRIMINAL DEFENDANT’S CONSTITUTIONAL RIGHT TO
DISCOVERY EVIDENCE MATERIAL PERTINENT TO HIS CRIMINAL
CASE PURSUANT TO BRADY V. MARYLAND, 373 U.S. 83 (1963) AND
GIGLIO V. UNITED STATES, 405 U.S. 150 (1972). DESTRUCTION OF
EVIDENCE ALSO MAY BE FRAUD ON THE COURT**

22. This issue was raised in two submitted pending briefs in two pending appeals before the Court of Appeals of Virginia over two post-conviction motions being denied due to lack of jurisdiction. This issue cannot and could not have been raised on direct appeal of the conviction due to it being new evidence being discovered after the hearing on September 12, 2019 because the State court appointed lawyers Matthew Scott Thomas Clark, Lauren McGarry, and Scott Albrecht as court appointed lawyers for the Virginia criminal case initiated by the

Virginia State charge of Indecent exposure all did not give copies of the court orders to their client Brian David Hill ("Petitioner"). Those lawyers kept Brian David Hill in the dark and asking for any paper copies of the court record are expensive at \$0.50 a page upon request to the Clerk's office. Petitioner did not know what areas of the record had what. It was only until Petitioner had timely appealed his criminal conviction in the Circuit Court of Martinsville that the entire record of the criminal case was transmitted electronically through Portable Document Format (PDF) file. The appeal was timely filed after the final conviction on November 18, 2019. Notice of Appeal was filed on November 27, 2019. In 2021, Petitioner had requested access to the Record on Appeal as he had proceeded In Forma Pauperis under the Virginia law. As it was granted or allowed, Petitioner had requested access to the Record on Appeal. The Clerk emailed, to Roberta Hill, the PDF file of the entire case files of his criminal case, attempted Virginia Writ of Habeas Corpus, and attempted Petition for the Writ of Error Coram Vobis/Nobis. Petitioner had started reviewing over the case files to have discovered three different Court Orders. One in the General District Court and two in the Circuit Court of the City of Martinsville. All three Court Orders involving Brady material aka the discovery materials pertinent to a criminal case. See *Brady v. Maryland*, 373 U.S. 83 (1963). Since the discovery materials also concerns the Supervised

Release Violation as well, it violates Giglio. See Giglio v. United States, 405 U.S. 150 (1972).

23. It was then and there that Petitioner started understanding that those three Virginia State Court Orders were violated. Petitioner suspects that the Martinsville Circuit Court Judge: Hon. Giles Carter Greer continues siding with the Commonwealth Attorney and has an inherit bias or prejudice or partiality, so Petitioner had attempted to file a Motion for Contempt charge against Glen Andrew Hall, Esquire in the General District Court instead of the Circuit Court. However, that motion failed as the General District Court Clerk's Office refused to act on that motion and would not submit to the Judge because they claim they do not have jurisdiction after Petitioner had appealed the guilty verdict on December 21, 2018. Petitioner also suspects blackmail in regard to Hon. Giles Carter Greer as he denies every motion and ignored motions when Petitioner had court appointed counsel. So, Petitioner was stuck and could not pursue sanctions against the Commonwealth of Virginia for any contempt actions. However, on January 20, 2022, Petitioner had decided to just file a Motion based on new Virginia Law at risk of this Motion possibly being denied too as with all the others, but at least push under a new 2021st Virginia Law which creates a new criminal defense and possibly a need for acquittal to his charge. Petitioner had also filed additional Memorandum and Amended Memorandum in support of his Motion for Judgment

of Acquittal. Petitioner is attempting to demonstrate that Brian David Hill is innocent of indecent exposure because he has Autism Spectrum Disorder which proves that he had "no intent" and this is the ground of being legally innocent of indecent exposure. So, Petitioner had filed a Motion asking for Judgment of Acquittal and had also asked for sanctions against the Commonwealth Attorney Glen Andrew Hall, Esquire for spoliation of evidence. Petitioner feels confident that this Motion has a better chance as it relies on a new Virginia Law, so even if the Judge decides to deny this Motion like all of the others, it can be appealed based on matters of law. It would have a better chance at prevailing on appeal since case law has yet to be thoroughly developed over this new law as far as Petitioner is aware of. All Petitioner has to prove is that he had Autism Spectrum Disorder and that at the time of the alleged offense he had Autism Spectrum Disorder. That can be proven with the mental evaluation of sanity or competency which had been conducted in 2018 at the direction of the Judge in the General District Court. Petitioner is confident that this is the best ground he could raise on the basis of evidence he has undeniable evidence of since childhood. A better chance of this new motion succeeding as it would be more difficult for a Judge to have enough discretion allowed to just deny the motion like all of the others. Spoliation of evidence plays a role in asking for acquittal based on destruction of

evidence and such destroyed evidence would have been favorable to the innocence of Brian David Hill.

24. However, Petitioner will raise this ground in the 2254 case as any impartial judge picked to be assigned to the state case in Circuit Court would be a better option than the partial local judge Hon. Giles Carter Greer. Petitioner's family did research on Giles Carter Greer and found out that the judge does not respect pro se filings. Petitioner's counsel was ineffective throughout the entire State criminal case proceedings. Petitioner filed pro se motions for new counsel and those were ignored because the Court restricted unofficially that the current counsel must file a motion to ask for new counsel which doesn't make any sense and kept Petitioner held hostage to his court appointed lawyer. The Judge did this by not acting on the pro se motions, a large majority of them and grant the counsel's motions and did grant or accept the motion to withdraw appeal or even denied the motion for vacating the fraudulent begotten judgment filed in November, 2019.

These are the pieces of evidence which Petitioner suspects and believes is destroyed and spoliated aka spoliation of evidence:

1. The body-camera footage (body-cam) recorded statements from Brian David Hill on September 21, 2018 by Officer Robert D. Jones, Martinsville Police Department. Petitioner had mailed multiple letters to Police Chief G. E.

Cassady in early 2019 asking for the body-camera footage to be turned over to the defense counsel but those letters were ignored.

2. The blood vials drawn from Brian David Hill's arm at the Sovah Health Martinsville Hospital; formerly Martinsville Memorial Hospital. The blood vials were drawn with Brian Hill's blood on September 21, 2018, after being arrested by Martinsville Police Department and taken to the Hospital in handcuffs under Police custody. Those blood vials were not laboratory tested despite being ordered but then cancelled and the blood vials destroyed. The police could have protected those vials as evidence, biological evidence. That evidence could have been subject to a drug test and if anything was found, could have led to a Carboxyhemoglobin (COHb) test. Because a drug test was never conducted and the blood vials were destroyed, the levels of Carbon Monoxide Poisoning is impossible to be determined by any scientific test due to the spoliation of the biological evidence. Carboxyhemoglobin (COHb) is a stable complex of carbon monoxide that forms in red blood cells when carbon monoxide gas is inhaled. COHb should be measured if carbon monoxide or methylene chloride poisoning is suspected.

Because Petitioner was already in Police custody while at the Hospital, it is downright stupid and unprofessional for a Law Enforcement officer arresting somebody for indecent exposure not to conduct a mandatory drug test or alcohol test or breathalyzer. Of course Petitioner was under Carbon Monoxide poisoning but it cannot be ruled out that Petitioner may have been drugged by an assailant. Therefore the Commonwealth Attorney and the Attorney General

for the Commonwealth of Virginia cannot argue with merit (because that claim would hold no merit) that Petitioner had no gas, no substance, or no narcotic aka being drugged and intoxicated in his body at the time he was found naked on September 21, 2018. Petitioner cannot prove he had any gas, substance, or narcotic aka being drugged and intoxicated in his system at the time of his arrest but they cannot claim with any merit that he had none either. So because the Martinsville Police Department covered up evidence of possibly intoxication of Brian David Hill on September 21, 2018, they cannot argue that nothing was found in Brian's body which could have intoxicated him at the time of arrest.

Executed on June 22, 2022

Respectfully submitted,



Brian D. Hill

Signed

Brian D. Hill (Pro Se)

310 Forest Street, Apartment 2

Martinsville, Virginia 24112

Phone #: (276) 790-3505



Former U.S.W.G.O. Alternative News reporter

I stand with Q – Drain the Swamp

I ask Q for Assistance (S.O.S.)

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JusticeForUSWGO.wordpress.com
USWGO.COM
JUSTICEFORUSWGO.NL

Petitioner also requests with the Court that a copy of this pleading be served upon the Respondent(s) as stated in 28 U.S.C. § 1915(d), that "The officers of the court shall issue and serve all process, and preform all duties in such cases. Witnesses shall attend as in other cases, and the same remedies shall be available as are provided for by law in other cases". Petitioner requests that copies be served with the Respondent(s) via CM/ECF Notice of Electronic Filing ("NEF") email, by facsimile if the Government consents, or upon U.S. Mail. Thank You!

Attorney General Office for the Respondent: Commonwealth of Virginia can be emailed to Secretary Chris Coen at ccoen@oag.state.va.us.

Commonwealth Attorney Office for the Respondent: Commonwealth of Virginia can be emailed to Glen Andrew Hall, Esq. at ahall@ci.martinsville.va.us.